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R E M A R K S

Claims 1-14, 17-33, and 36-51 were rejected under 35 USC 103 as being unpatentable over Rogers et al, US Patent 5,946,389 in view of Arbel et al, US Patent 5,276,731. Applicants respectfully traverse.

As applicants understand the Rogers et al reference, it teaches the use of a customer premises call management computer interposed between a network and a PBX. It captures all incoming calls, decides how to handle them and, based on the existing conditions, on information in its memory, and on instructions from the caller (if appropriate), routes the call.

Section 11 of the Rogers et al section, beginning at col. 38, line 53, which is titled "ROUTING CALLS INSIDE OR OUTSIDE TO THE ORGANIZATION," teaches:

Unlike existing PBX or other telephone switching systems, the Call Management System routes calls internally within the organization or externally anywhere in the PSTN. Thus, calls can be transferred by a called party, or via VIP rules, anywhere the telephone network reaches. This is a major departure from the conventional telephone switch capability, which is customarily limited to intra-organization routing only.

When a call is received by the call management computer 101, the calling party, called party, and call type are used to determine the needed action. For voice calls, the called party may be alerted, receive the call and transfer it to a specified number or VIP rules may specify transfer to another number. It matters not that the number specified is within the organization or external to it. In either case, the call management computer transfers the call as specified.

For internal calls, the call management computer establishes a voice pathway 121 to a destination extension, e.g., user 111, and alerts the called party if that destination applies to a system user. For destinations outside the organization, an available outgoing CO trunk circuit 102 is seized or a two-way circuit is negotiated through which a voice pathway is established and the call path transferred.

Calls utilizing Internet voice capabilities are placed through the Voice-over-Internet interface.

The ability to route calls anywhere, not just within the organization, is a major improvement in efficiency for the organization.

The above, clearly teaches that the call management computer establishes a voice pathway to a destination extension (if the call is to be forwarded internally within the organization),

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or seizes an available outgoing CO trunk, through which a voice pathway is established. In short, the call management computer is initially involved with an incoming call, and remains *involved with a forwarded call*, whether the call is forwarded internally within the organization, or externally.

In the Office Action Remarks the Examiner asserts that Rogers et al teach "a method for providing call forwarding in an IP telephone network, comprising the steps of: routing the call to a network device; sending call forwarding information to network device if there is an active call forwarding and routing the call to at least a third telephone based on the call forwarding information." In support of the assertion, the Examiner cites only col. 37, lines 31-32 and 39-41, where lines 31-32 state:

3. Process the entered information, re-routing the call to one of a series of other numbers based upon the entered information

and lines 39-41 state:

6. "Forward" 716 the call to another destination anywhere inside or outside the organization as typed in or selected from the directory.

In applicants' view, the cited passages simply describe the notion of call forwarding, and they do not describe any of the other explicit limitations found in claim 1.

Since neither the cited language nor the Examiner's comments deal with the explicit limitations of claim 1, it was not clear what correspondences were being asserted by the Examiner. Therefore, applicants' representative called the Examiner on October 31, 2002. The Examiner's courtesy and assistance in responding the same day is greatly appreciated. The Examiner clarified that central office 103 of Rogers et al corresponds to the "network device" of claim 1, and that call management compute 101 corresponds to the customer premises equipment of claim 1. Applicants agree that these correspondence are the ones most supportive of the Examiner's assertion but, nevertheless, respectfully traverse the rejection.

Claim 1 is amended herein to make it clearer because the claim contained a reference to "call forwarding information" that is sent "if there is an active call forwarding profile," but it was not explicitly stated that the information that is being sent is the information obtained from the call forwarding profile. To make the claim clearer still, the nature of the information is specified, and the equipment that performs the various steps is also specified. It is respectfully submitted, however, that claim 1 is NOT amended herein to overcome the

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reference because, as demonstrated below, the claim is not obvious in light of the cited combination of references.

As indicated above, Rogers et al teach the call management computer that effects a call transfer by either establishing a voice connection to an internal telephone (internal to the enterprise), or to an external telephone. In contradistinction, claim 1 specifies that the call forwarding information is sent to the network device (i.e., to central office 103), and that the call is routed (i.e., call forwarded) "based on the call forwarding information." Since the call management computer 101 does NOT send the call forwarding information to the central office 103 but, rather, handles the call forwarding function within itself, Rogers et al do not meet the "sending" step limitation of claim 1, and do not meet the "routing" step limitation of claim 1.

The Arbel et al reference is put forth for its teaching of a call forwarding profile, and for its teachings of an IP network. Since one might argue that the network (100) in Rogers et al includes an IP network, and that the VIP rules of Rogers et al correspond to the "profile" in applicants' claim 1, one might argue that the Arbel et al reference is cited for teachings that are already present in Rogers et al and, therefore, is merely cumulative. In any event, applicants respectfully submit that the Arbel et al reference does not teach anything that would motivate a skilled artisan to modify the call forwarding approach in Rogers et al to the approach specified in claim 1. Therefore, it is respectfully submitted that claim 1 is not obvious in view of the Rogers et al and Arbel et al references.

More importantly, it is respectfully submitted that amended claim 1 even more clearly patentably distinguishes from the Rogers et al and Arber et al combination of references, because it clearly states that the information, which "includes conditions for call forwarding" is sent by the customer premises equipment to the network device, and that the network device routes (i.e., call forwards) the call based on the information received by the network device.

Effectively the same argument applies to independent apparatus claim 19, to method claim 38, and to newly added claim 52. Actually, in connection with claim 38 it is noted that amended claim 38 specifies that the call manager is within the IP network. Central office 103 is within a network that *includes* an IP network, but it also includes the circuit switched PSTN, and central office 103 is within the PSTN and not within the IP telephone

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network. The same remarks apply to claim 52.

In light of the above, applicants believe that amended claims 1, 19, 38 and new claim 52 are clearly not obvious in view of the Rogers et al and Arbel et al combination of references, and correspondingly, all of the claims that depend on claim 1, 19, or 38 are also not obvious in view of the Rogers et al and Arbel et al combination of references.

Additionally, it is respectfully submitted that at least some of the dependent claims have limitations that are not obvious in view of the Rogers et al and Arbel et al combination of references. With respect to claim 2, for example, the Examiner cited col. 38, lines 4-5 of Rogers et al. However, the cited passage addresses priority ringing for a VIP caller, whereas, in contradistinction, claim 2 specifies distinctive ringing to indicate that the incoming call is a forwarded call.

Claims 15, 16, 34 and 35 were rejected under 35 USC 103 as being unpatentable over Rogers et al, US Patent 5,946, 386 in view of Agraharam et al, US Patent 5,987,508. Applicants respectfully traverse. The Examiner asserts that Agraharam et al teach a telephone number associated with an alias email address and, according to the Examiner, it would have been obvious to use an IP address. Applicants respectfully disagree that using a recipient's "alias telephone number name" for an email, which alias name is translated in a database to the proper email address, is suggestive of using an IP address of a destination telephone, which is not translated to some other, for example, conventional, destination identifier. Moreover, it is noted that claims 15, 16, 34, and 35 are dependent on claims that are not obvious in view of the cited references. Therefore, it is respectfully submitted that claim 15, 16, 34 and 35 are not obvious in view of the Rogers et al and Agraharam et al combination of references.

Claim 38 was rejected under 35 USC 103 as being unpatentable over the Arbel et al reference. Applicants respectfully traverse, submitting that amended claim 38 clearly differs in a patentable manner from the teachings of Arbel et al.


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In light of the above amendments and remarks, applicants respectfully submit that all of the Examiner's rejections have been overcome. Reconsideration and allowance of claims 1-52 are respectfully solicited.

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Respectfully,
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Appendix Marked up version of amended claims

IN THE CLAIMS:

1. (Amended) A method for providing call forwarding in an IP telephone network, comprising the steps of:

dialing a unique identifier for a first telephone from a second telephone to make a call;

routing the call to a network device;

[initiating call setup procedures with] said network device sending call destination information to a customer premises equipment responsible for said first telephone;

the customer premises equipment checking stored call forwarding profiles in the customer premises equipment to determine whether there is an active call forwarding profile for said first telephone, and ;

[connecting] said network device extending said call via said customer premises equipment to said first telephone if an active call forwarding profile is not found;

said customer premises equipment sending call forwarding information of said profile for said first telephone, which information includes conditions for call forwarding, to said network device, if there is an active call forwarding profile for said first telephone; and

said network device receiving said call forwarding information and routing the call to at least a third telephone based on the call forwarding information.

19. (Amended) An IP telephone system for providing call forwarding, comprising:

a plurality of telephones, each telephone having a unique identifier;

a network device for routing telephone calls between the plurality of telephones;

customer premises devices serving at least one telephone, wherein the customer premises device has memory means for storing call forwarding profiles, [and] means for determining if the call forwarding profile is active when a call is received at the customer premises device for the telephone[:]
and means for sending said active call forwarding profile to said network device;

wherein the call is routed by said network device to [the at appropriate] a telephone based on the call forwarding information contained in said active call forwarding profile.

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38. (Amended) A method for providing call forwarding in an IP telephone network, comprising the steps of:

creating a call forwarding profile for at least a first telephone;

storing said call forwarding profile in a customer premises equipment;

routing a call from a second telephone to the first telephone to a call manager within said IP telephone network;

checking said stored call forwarding profile to determine whether there is an active call forwarding profile for said first telephone;

connecting said call to said first telephone if an active call forwarding profile is not found; and

said call manager receiving said active call forwarding profile and routing the call to at least a third telephone based on call forwarding information in the received active call forwarding profile.

Please add the following claim: --

52. A method executed in a call manager within an IP telephone network for providing call forwarding comprising the steps of:

receiving a destination identifier of a first telephone for a call;

sending a control signal to a port at location of said first telephone;

when said port responds with information that is indicative of no active profile for said first telephone, undertaking to extend said call to said port; and

when said port responds with information detailing a profile for said telephone, routing said call in accordance with said information.

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